

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL GAFFNEY,

Plaintiff,

v.

MUHAMMAD ALI ENTERPRISES LLC, a  
New York Limited Liability Company;  
AUTHENTIC BRANDS GROUP LLC, a New  
York Limited Liability Company; ROOTS OF,  
INC., a California corporation d/b/a “ROOTS  
OF FIGHT;” and DOES 1-10,

Defendants.

Civil Action No. 1:18-CV-08770-GBD-OTW

Civil Action No. 1:20-CV-07113-GBD-OTW

**DECLARATION OF JASON C. LINGER, ESQ. IN SUPPORT OF PLAINTIFF  
MICHAEL GAFFNEY’S OPPOSITION AND RESPONSE TO DEFENDANTS’ MOTION  
IN LIMINE NO. 3 REGARDING THE COMPETITIVE USE MULTIPLIER**

I, Jason C. Linger, Esq, am an associate in the law firm of Glaser Weil Fink Howard Jordan & Shapiro LLP, which represents Plaintiff Michael Gaffney (“Gaffney”) in this action. I submit this declaration in support of Gaffney’s Opposition to Defendants’ Motion *In Limine* No. 3 regarding the competitive use scarcity multiplier.

1. Attached hereto as **Exhibit 1** is a true and correct copy of relevant portions of the Confidential Preliminary Expert Report of Professor Jeffrey Sedlik, dated and submitted on June 30, 2021 (“Sedlik Report”).

2. Attached hereto as **Exhibit 2** is a true and correct copy of Exhibit J to the Sedik Report (relevant portions).

3. Attached hereto as **Exhibit 3** is a true and correct copy of Exhibit K to the Sedik Report.

4. Attached hereto as **Exhibit 4** is a true and correct copy of Exhibit L to the Sedik Report (relevant portions).

5. Attached hereto as **Exhibit 5** is a true and correct copy of Exhibit N to the Sedik Report (relevant portions).

6. Attached hereto as **Exhibit 6** is a true and correct copy of relevant portions of the Transcript of Deposition of Jeffrey Sedlik taken August 12, 2021.

7. Attached hereto as **Exhibit 7** is a true and correct copy of relevant portions of the Transcript of Deposition of Michael Gaffney taken November 20, 2020.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 12<sup>th</sup> day of January, 2024 at Los Angeles, California.

By: /s/ Jason C. Linger  
Jason C. Linger

**CERTIFICATE OF SERVICE**

I hereby certify that on January 12, 2024, a true and correct copy of the foregoing **DECLARATION OF JASON C. LINGER, ESQ. IN SUPPORT OF PLAINTIFF MICHAEL GAFFNEY'S OPPOSITION AND RESPONSE TO DEFENDANTS' MOTION IN LIMINE NO. 3 REGARDING THE COMPETITIVE USE MULTIPLIER** was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Robert E. Allen

Robert E. Allen